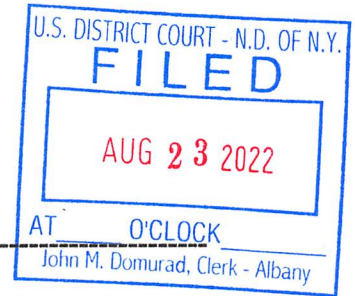


UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK



ROBERT MALEK, ROBERT MALEK C/O M.M.

VS.

CASE NUMBER : 22 CV 167

NOTICE OF MOTION FOR RECUSAL OF JUDGE

(28 USC 144 , 28 USC 455)

NEW YORK STATE UNIFIED COURT SYSTEM, ET. AL...

PLEASE TAKE NOTICE, THAT UPON ACCOMPANYING MEMORANDUM OF FACTS AND LAW, PLAINTIFF, ROBERT MALEK, ROBERT MALEK C/O MM WILL MOVE THIS COURT, BEFORE THE HONORABLE BRENDA K SANNES, HONORABLE JUDGE DANIEL STEWART OF THE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF NEW YORK AT THE US COURTHOUSE 445 BROADWAY, ALBANY, NY 12207, ON A DATE AND TIME DETERMINED BY THE COURT, FOR AN ORDER TO RECUSE JUDGE SANNES FROM CASE NUMBER 22 CV 167, PURSUANT TO 28 USC 144., 28 USC 455.

PLEASE TAKE FURTHER NOTICE THAT RESPONDING PAPERS,, IF ANY AND REPLY PAPERS ARE TO BE SERVED AS PER THE FEDERAL RULES OF CIVIL PROCEDURE..

DATED :

08-20-2022

RESPECTFULLY SUBMITTED,

S/S *Robert Malek, Robert Malek, C / O, M-M*

ROBERT MALEK, ROBERT MALEK, C/O M. M.

ACSCOMPLAINTS@YAHOO.COM

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EAST MEADOW, NY 11554

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

ROBERT MALEK, ROBERT MALEK C/O M.M.

VS.

22 CV 167

MOTION FOR JUDGE RECUSAL

28 USC 144, 28 USC 455

NEW YORK STATE UNIFIED COURT SYSTEM, ET.AL

I, ROBERT MALEK, DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS
FACTUALLY TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

ANY OPINIONS STATED ARE HONESTLY MY OPINIONS.

ANY STATEMENTS MADE I HONESTLY BELIEVE TO BE CORRECT.

MY BELIEFS ARE HONESTLY WHAT I BELIEVE TO BE SO.

THIS FILING IN MY OPINION NOT FRIVOLOUS AND DEFINITELY NOT INTENDED TO
DELAY PROCEEDINGS BUT RATHER FILED IN THE INTEREST OF JUSTICE.

MEMORANDUM IN SUPPORT OF MOTION TO RECUSE

ROBERT MALEK FILES THIS MOTION
ASKING JUDGE SANNES TO RECUSE HERSELF BECAUSE SHE CANNOT BE AN IMPARTIAL
ARBITER OF THIS CASE.

PARTY FILES THIS MOTION AT LEAST
10 DAYS BEFORE THIS CASE IS SET FOR TRIAL., AS PER 28 USC 144., 28 USC 455.

THE DUE PROCESS CLAUSE OF THE U.S.
CONSTITUTION ENTITLES A PERSON TO AN IMPARTIAL AND DISINTERESTED TRIBUNAL
IN ALL CASES. SEE WILLIAMS VS PENNSYLVANIA, 579 U.S. 1,8 (2016); CAPERTON VS A.T.

MASSEY COAL CO., 556 U.S. 868, 876 (2009); MARSHALL VS JERRICO, INC., 446 U.S. 238, 242 (1980).

THE PERSONAL BIAS OR PREJUDICE OF JUDGE SANNES WILL DEPRIVE ROBERT MALEK, ROBERT MALEK C/M M.M. OF A FAIR TRIAL IN VIOLATION OF THE DUE PROCESS CLAUSE. SEE WILLIAMS, 579 U.S. AT 8-11; CAPERTON 556 U.S. AT 872; MARSHALL, 446 U.S. AT 242- 243.

IF A JUDGE HAS A PERSONAL BIAS OR PREJUDICE AGAINST A PARTY, IN FAVOR OF AN ADVERSE PARTY OR ABOUT THE SUBJECT MATTER OF THE SUIT, THE JUDGE MUST RECUSE HIMSELF OR HERSELF. (28 USC 144) SEE SAO PAULO STATE OF FEDERATIVE REPUBLIC OF BRAZ, VS AM TOBACCO CO. 535 US 229, 22 - 233. (2002). THE COURT SHOULD GRANT ROBERT MALEKS MOTION TO RECUSE FOR THE FOLLOWING REASONS :

A) JUDGE SANNES BIAS OR PREJUDICE IS DIRECTED AGAINST ROBERT MALEK. AS OUTLINED BELOW..... SEE TEJERO VS PORTFOLIO RECOVERY ASSOC, LLC 955 F3D 453, 463 (5TH CIR. 2020); GILBERT VS CITY OF LITTLE ROCK, ARK., 722 F2D 1390, 1398-1399 (8TH CIR. 1983).

I AM REQUESTING THE REMOVAL OF JUDGE SANNES FROM MY 3 CASES, 21 CV 1230, 22 CV 167 AND 22 CV 855 DUE TO CONFLICT OF INTEREST, BIAS AND GROSS MISCONDUCT, IN VIOLATION OF 28 USC 144. WHETHER OR NOT JUDGE SANNES SHOULD BE A JUDGE IS NOT FOR ME TO SAY BUT I WOULDNT RECOMMEND HER.

JUDGE SANNES HAS ON CASE NUMBER 21 CV 1230 ALLOWED THE DEFENDANTS TO UNILATERALLY ALTER THE CAPTION OF THE CASE WITHOUT COURT ORDER. THE CAPTION OF THE CASE WAS ROBERT MALEK, ROBERT MALEK C/ O M, M. OR M.M. VS NEW YORK STATE UNIFIED COURT SYSTEM, ET AL.

JUDGE SANNES ALLOWED THE DEFENDANTS WITHOUT COURT ORDER TO UNILATERALLY CHANGE THE CAPTION OF THE CASE WHEREAS C/O M, M. OR M.M. WHOM IS MY DAUGHTER' WAS REMOVED. IT IS NOT THEIR RIGHT TO DO SO. SUCH IS FOR THE JUDGE TO DECIDE. I BROUGHT THIS TO THE JUDGES ATTENTION WHOM AS VIRTUALLY ALWAYS, IGNORES WHAT I FILE. BEING A FATHER WHOM HAS NOT SEEN HIS DAUGHTER AS PER ACS RETALIATION SINCE A MONTH AFTER I PUBLICIZED HER ABUSE. UNDER ACS JURISDICTION ON MY NEW WEBSITE, ACS COMPLAINTS.COM IN FEB OF 2020, SUCH REMOVAL FROM THE CAPTION OF THIS CASE IS DEEPLY HURTFUL TO ME OF WHICH I HAVE EXPRESSED ON THE CASE TO TO JUDGE SANNES. JUDGE SANNES NOT JUST ALLOWS ACS TO BE THE JUDGE, SHE ALLOWS ACS TO

CONTINUE TO PERSONALLY AND DEEPLY HURT ME IN ONE OF THE WORST WAYS POSSIBLE WITHOUT COURT CONCERN WHATSOEVER. I PAID 402. DOLLARS FOR THE RIGHT TO FILE MY CASE. NOT ACS CASE. NOT YOUR CASE. MY CASE. IF ACS WANTS TO FILE A DIFFERENT CASE, LET THEM PAY 402 DOLLARS PAID FOR BY THE FEDERAL GOVERNMENT FOR THEM AND FILE THEIR OWN. I PAID FOR MINE. I PAID FOR MY DAUGHTER. MY DAUGHTER IS NOT A PIECE OF %(&^*^ TO BE ERADICATED FROM EXISTENCE NOR THE FACT THAT I AM HER FATHER BY THE ACS CHILD ABUSERS.

TO MAKE THIS MATTER EVEN MORE DISTURBING IS WHETHER OR NOT THE ADMINISTRATION FOR CHILDRENS SERVICES HAS THE RIGHT TO CHANGE A COURT CAPTION TO BEGIN WITH WHEN THEY DO NOT LEGALLY EXIST AS AN AGENCY OF THE CITY OF NEW YORK. I HAVE PROVIDED A MASSIVE AMOUNT OF EVIDENCE UPON THIS CASE THAT ACS DOES NOT LEGALLY EXIST AS DOCUMENTARY FACT. NOT AS ASSUMPTION OR SOME TYPE OF DELUSIONAL PRO SE CONSTITUTIONAL ARGUMENT. FOR INSTANCE, CHECK MY LAST TWO FILINGS. REGARDLESS, SANNES DOES NOT REQUIRE ACS TO RESPOND TO THIS AND GIVES ACS, A CITY GOVERNMENT AGENCY THE LEGAL RIGHT TO DETERMINE WHETHER OR NOT I CAN REPRESENT MY DAUGHTER IN FEDERAL COURT OF WHICH IS ABSURD. AS A FATHER WHOM ACS HAS TERMINATED VISITATION VIA CRIMINAL FRAUD OUT OF RETALIATION OF MY FIRST AMENDMENT RIGHT TO HOST ACS COMPLAINTS.COM OF WHICH A TREMENDOUS AMOUNT OF EVIDENCE HAS BEEN PLACED NOT JUST UPON THIS CASE BUT ALSO PROVIDED TO THE US ATTORNEY IN ALBANY AND FILED UPON AS A CAUSE OF ACTION ON THE 22 CV855 CASE. ONCE AGAIN, JUST ONE MONTH AFTER I PUT UP ACS COMPLAINTS.COM AND EXPOSED MY DAUGHTERS ABUSE UNDER THEIR JURISDICTION, I NEVER SAW MY DAUGHTER AGAIN. SUCH MATTER IS MORE THAN LEGALLY ACADEMIC. IT IS IMMENSELY HURTFUL OF WHICH JUDGE SANNES HAS NO CONCERN AT ALL. WHAT IS OCCURRING HERE IS JUDGE SANNES GIVES ACS THE LEGAL RIGHT TO ERADICATE MY DAUGHTER AND THE RELATIONSHIP BETWEEN FATHER AND DAUGHTER IN FEDERAL COURT (WITHOUT A CORRESPONDING ORDER) WHEN MEANWHILE, THEY DONT EVEN EXIST LEGALLY TO BEGIN WITH !!!!!!!!!!!

ON CASE NUMBER 21 CV 1230 I HAVE FILED EXTENSIVE EVIDENCE OF ACS COMMITTING A CRIME IN STATE COURT AND FURTHERING ITS COMMISSION IN FEDERAL COURT ON THIS CASE AS NOTED ABOVE.. JUDGE SANNES SAYS NOTHING AS USUAL. NO PROBLEM AT ALL... WHAT THEY ARE DOING IS CRIMINAL. MEANWHILE, JUDGE SANNES INSULTS A FIRST TIME PRO SE LITIGANT IN FEDERAL COURT AS CALLING MY FILINGS, " PIECEMEAL. " NOW I KNOW I CAN DO BETTER IN THAT AREA AS FAR AS ADDING AFTER FILING. HOWEVER, AT LEAST I DO NOT COMMIT CRIMINAL ACTS IN THIS COURT AS ACS HAS DONE WITH A TOTAL BLIND EYE PASS BY JUDGE SANNES, NOR DO I HAVE THE LEGAL DREAM TEAMS FUNDED BY THE FEDERAL GOVERNMENT EITHER. JUDGE SANNES COULD CARE LESS. MOREOVER, AS A PRIVATE INVESTIGATOR, SINCE THE GOVERNMENT WILL NOT INVESTIGATE THE GOVERNMENT UNLESS THERE IS SOME TYPE OF POLITICAL MOTIVE TO DO SO, I HAVE TO INVESTIGATE THE GOVERNMENT AND HAVE. POSTING THE

EVIDENCE UPON THIS CASE. IF ANYTHING I SHOULD BE COMMENDED BY JUDGE SANNES FOR DOING THE JOB OF THE US ATTORNEY AND THE STATE ATTORNEY. BUT NO, JUDGE SANNES ONLY WISHES TO INSULT ME.

IN ADDITION, JUDGE STEWART, WHOM IS OR WAS A CIVIL RIGHTS COLLEGE PROFESSOR WAS MADE INTO A " POTTED PLANT " BY JUDGE SANNES. IF WE ARE TO BE TOTALLY HONEST WITH EACH OTHER, JUDGE STEWART IS EQUALLY OR EVEN MORE QUALIFIED THAN JUDGE SANNES ON MY CASES DUE TO HIS FOCUS ON CIVIL RIGHTS, UNLIKE SANNES WHOM IS AN **EX US ATTORNEY**. JUDGE STEWART IS SUPPOSED TO HANDLE THE INITIAL FINDINGS AND EVERYTHING SANNES IS DOING. SANNES HIJACKED 21 CV 1230 AND TURNED STEWART INTO NOTHING MORE THAN WORTHLESS LETTERS ON A COURT ROSTER. JUDGE STEWART IS NOT INCOMPETENT AND THERE IS NO REASON FOR JUDGE SANNES TO TREAT HIM AS WELL AS I, AS IF WE ARE WORTHLESS, TAKING PART IN CONDUCT AS IF HE DOESNT EXIST. I AM SURE IF THIS MATTER WERE TURNED AROUND AND THE JUDGE WAS A MAN WHOM DIDNT LET THE WOMAN MAGISTRATE SAY A WORD, THERE WOULD BE MAJOR MAJOR ISSUES OF GENDER DISCRIMINATION IN EMPLOYMENT BEING RAISED AS A TITLE 7 ISSUE. I MEAN, AT LEAST LET JUDGE STEWART CLAIM HE HAD SOMETHING TO DO OUTSIDE OF JUST SITTING THERE AS A WORTHLESS SPECTATOR. HE DESERVES MORE THAN THAT.

FURTHERMORE, ON THIS CASE I FILED A MOTION FOR ECF ACCESS FROM THE BEGINNING. JUDGE SANNES IGNORED THAT MOTION WHICH ENDED UP COSTING ME NO LESS THAN 1000 DOLLARS IN MAILING COSTS ON THIS CASE, UNLIKE THE FLUSH WITH CASH GOVERNMENTAL DEFENDANTS AND THE HUGE LAW FIRM REPRESENTING TRAVIS JOHNSON WHOS LEGAL BILL TO THE BEST OF MY KNOWLEDGE IS BEING PAID FOR BY LEGAL AID OF WHOM IS FUNDED BY THE FEDERAL GOVERNMENT... ON THIS CASE, MUSCARELLA AND WEINSTOCK REPEATEDLY REFERRED TO THEIR CLIENT AS BEING LEGAL AID WHEN IN FACT IT WAS JOHNSON. OBVIOUSLY, THE REASON IS, IS THAT LEGAL AID IS THE ONE SIGNING THE CHECKS.

THREE TIMES, WITH ME THERE WERE REDACTION ISSUES. ONCE, WITH KURLYUK THERE WAS A REDACTION ISSUE... IF SHE IS ABLE TO FILE BY ECF ? WHY NOT ME ? OVERALL MY PERCENTAGE OF FILING ISSUES TO NO FILING ISSUES IS NO WORSE OR BETTER THAN HERS. GREATER THAN 90 PER CENT OF MY FILNGS WERE OK. PERHAPS EVEN MORE IMPORTANTLY IS THE DEFENDANTS ENJOY A TACTICAL LEGAL ADVANTAGE IN BEING ABLE TO FILE IN SECONDS WHEREAS MY FILINGS ARE DELAYED. 100% THE FAULT OF JUDGE SANNES. **THE CLERKS HAVE TOLD ME, IT ISNT WHEN YOU SEND IT. IT IS WHEN WE GET IT. WOW !!!!!!! RIGHT THERE IS A CLEAR VIOLATION OF DUE PROCESS, RIGHT IN HER COURTROOM, SUPPORTED BY THE JUDGE SANNES OR MAYBE THE OTHER WAY AROUND, SUPPORTED BY THE CORRUPT CLERKS. AT ANY RATE, THE CORRUPTION AT YOUR COURTHOUSE IS REAL.**

ANOTHER PROBLEM OF WHICH I SAVED FOR LAST WHICH IS WHEN JUDGE SANNES ALLOWED THE CLERKS TO CHANGE THE CAPTION OF CASE NUMBER 22 CV 855 TO MALEK VS NEW YORK STATE UNIFIED COURT SYSTEM, ET. AL.... SO WHAT WE HAVE HERE IS THAT THE CORRUPT CLERKS APPARENTLY ALSO TOOK PART IN THE CAPTION CHANGE OF 21 CV 1230 WHICH IS WHY THEY ALLOWED ACS AND THE REST OF THE DEFENDANTS TO REMOVE ROBERT MALEK C/O M. M. OR M.M. TO BEGIN WITH THIS SAID FOR THE MOST GLARING CAPTION CHANGE.;

WAS THE FOLLOWING :

PLANTIFF ; ROBERT MALEK, ROBERT MALEK, C/O M.M. OR M. M.

THE DEFENDANTS WERE :

LETITIA JAMES, ADMINISTRATION FOR CHILDRENS SERVICES, ET. AL.....

NOT MALEK VS. NEW YORK STATE UNIFIED COURT SYSTEM, ET. AL.....

THIS WAS DONE KNOWINGLY BY JUDGE SANNES AND THE CLERKS TO PROTECT LETITIA JAMES SO THE PRESS DOESNT PICK UP THE CASE, OF WHICH IS EXACTLY WHY I FILED IT IN THAT MANNER TO BEGIN WITH OF WHICH IS MY RIGHT. IF JAMES ENJOYS ALL THE PR HANGING TRUMP, MAYBE SHE SHOULD KNOW WHAT IF FEELS LIKE TO BE ON THE OTHER END OF THE ROPE. SHE DESERVES TO BE. I AM NOT A TRUMP SUPPORTER JUST AN AMERICAN CITIZEN WHOM IS NAUSEATING BY LETITIA JAMES DISGUSTING HYPOCRICY.

I PAID 402. DOLLARS. NOT 302, NOT 202 , 102 OR 19.95. 402. I GET TO CHOOSE THE CAPTION UNLESS FOR LEGAL REASONS, COURT ORDER SUBSTANTIATES OTHERWISE.

IT IS CLEAR, UNDER 28 USC 144, JUDGE SANNES TOOK ACTION, AS AN EX US ATTORNEY TO PROTECT STATE U.S. ATTORNEY LETITIA JAMES.

IT IS ALSO CLEAR THAT THE CLERKS ASSISTED JUDGE SANNES IN DOING SO OR SHE COERCED THEM INTO DOING SO AGAINST THEIR WILL OR THE CLERKS ARE CORRUPT. THIS ALL SAID, WHEN I BROUGHT TO THE ATTENTION OF THE JUDGE THE CAPTION

ISSUE ON ACS 21 CV 1230 THE JUDGE SAID NOTHING AND DID NOTHING. IT IS OBVIOUS SHE IS EITHER AN ACTIVE PROBLEM OR A PASSIVE AGRESSION PROBLEM OF PREJUDICE AND/OR BIAS.

SUCH POLITICAL FAVORITISM AND CONDUCT OF SANNES REPRESENTS A CONFLICT OF INTEREST ON THIS CASE AND VIOLATES 28 USC 144 . FOR AN EX US ATTORNEY TO TAKE ACTION AGAINST A PRO SE TO JUDICIALLY PROTECT THE POLITICAL IMAGE OF A STATE ATTORNEY GENERAL IS UN ACCEPTABLE MISCONDUCT VIOLATING 28 USC 144.

MOREOVER, JUDGE SANNES, ALLOWED EX JUDGE RADIX TO LITIGATE AGAINST A PRO SE ON A CIVIL RIGHTS CASE FOR RELIGIOUS FREEDOM, STILL USING HER TITLE AS HON. WHICH IS CONTRARY TO ABA ETHICS,

EXHIBIT A.

I HAVE BROUGHT THIS TO JUDGE SANNES ATTENTION BUT SHE COULD CARE LESS, IGNORING WHAT I FILE AS USUAL.

WHAT IS HAPPENING HERE IS SIMPLE TO SEE. LETITIA JAMES, EVERYONE KNOWS IS GOING TO HANG HER HAT ON DONALD TRUMP AND RUN FOR PRESIDENT.

ROBERT MALEK IS IN THE PROCESS IN YOUR FEDERAL COURT OF EXPOSING THE CIVIL AND CRIMINAL CORRUPT ATTORNEY GENERAL THAT SHE IS OF WHICH I PLACED FURTHER EVIDENCE ON MY ACSCOMPLAINTS.COM, LETITIA JAMES PAGE.

UPON FILING WITH LETITIA JAMES NAME FIRST, THE PRESS IS GOING TO GET AN ALERT ON THAT AND POSSIBLY OR PROBABLY PICK UP THE CASE.

SANNES, ALONG WITH THE CLERKS CHANGED THE CAPTION TO PREVENT THAT FROM HAPPENING.

SINCE SANNES PROTECTED JAMES FROM NEGATIVE PRESS AND NEGATIVE EXPOSURE, HARMING HER POLITICAL CAREER, JAMES, IF ELECTED WILL PROMOTE SANNES TO THE FEDERAL APPELLATE COURT, SUPREME COURT OR HEAD U.S. ATTORNEY GENERAL.

SANNES, LIKE JAMES FROM MY DETERMINATION DO NOT CARE ABOUT PEOPLE NOR CHILDREN NOR LAW. THEY ONLY CARE ABOUT THEMSELVES AND THEIR OWN POLITICAL AMBITIONS.

IN CASE NUMBERS 21 CV 1230 AND 22 CV 855 I HAVE OUTLINED THAT ADMINISTRATION FOR CHILDRENS SERVICES IN NYC, HAS COMMITTED THE LARGEST FINANCIAL CRIME

AGAINST THE FEDERAL GOVERNMENT IN AMERICAN HISTORY..

OF WHICH LETITIA JAMES KNEW.....

TO THE TUNE OF 26 BILLION DOLLARS.....

I AM , AS THAT BEING ONE OF THE CAUSE OF ACTION IN CASE 22 CV 855, GOING TO TURN OVER THE ENTIRE 26 BILLION TO THE FEDERAL GOVERNMENT TO COMPENSATE THEM FOR THE FRAUDULENT THEFT COMMITTED BY THE ADMINISTRATION FOR CHILDRENS SERVICES AND THE CITY OF NEW YORK.....

CONCEALED BY JUDGE SANNES AND THE CLERKS.

SANNES IS AWARE THAT ACS STOLE 26 BILLION FROM THE FEDERAL GOVERNMENT AND HAS TAKEN PART IN THE LARGEST CHILD TRAFFICING SCANDAL IN AMERICAN HISTORY. KIDNAPPING CHILDREN WHILE THEY DONT LEGALLY EXIST WITH ZERO AUTHORITY AND FURTHERMORE PRODUCING FRAUDULENT PSYCH REPORTS ON CHILDREN AND PARENTS TO DO SO (OF WHICH THAT ISNT THE ONLY FRAUD THEY TAKE PART IN TO KIDNAP CHILDREN).

REGARDING SANNES COMMENT ON MY " PIECE MEAL " FILINGS, I DONT DESERVE TO BE INSULTED IN SUCH MANNER FROM A JUDGE.. IF THE JUDGE OR ANY JUDGE DOESNT LIKE MY " PIECEMEAL " FILINGS, SINCE I AM NOT LITIGATING AGAINST A LAWYER, BUT RATHER A WHOLE TEAM OF LAWYERS FUNDED BY THE FEDERAL GOVERNMENT, **BEFORE I AM TO BE INSULTED, PLEASE WRITE ME A CHECK FROM THE FEDERAL GOVERNMENT AS PROVIDED TO THE DEFENDANTS SO THAT I CAN HAVE AT LEAST AS MANY LAWYERS AS THEY DO. ACS HAS EMPLOYED THAYER, TOWES, LAUREN RUBEN AND RADIX AGAINST A PRO SE. LEGAL AID, MUSCARELLA AND WEINSTOCK.**

BEFORE I AM TO BE INSULTED AS A PRO SE, I WOULD LIKE A CHECK FOR 3 LAWYERS AND A EX JUDGE IN MY LEGAL ARSENAL, PLEASE.....

ALSO, IN THIS CASE JUDGE SANNES ALLOWED THE DEFENDANTS TO MY MANY OBJECTIONS TO CONTINUE TO CLAIM THAT I HAVE VIOLATED ORDERS OF PROTECTIONS WHEN THE EVIDENCE CLEARLY SHOWS THEY MADE THIS UP AND FURTHERMORE, THEIR ASSERTION THAT 21CV1230 IS IDENTICAL TO CASE 21 CV 5532 IS SIMPLY FACTUAL PERJURY. SANNES COULD CARE LESS.

IN LIGHT OF SANNES VIOLATION OF 28 USC 144, IGNORING CRIMINAL CONDUCT, AIDING AND ABBETING THE CONCEALMENT OF CRIMINAL CONDUCT, TAKING PART IN PROCEDURAL BIAS AND INSULTS,.....

I AM REQUESTING JUDGE STEWART TO TAKE OVER THESE CASES SO THAT BOTH HIM AND I CAN BE TREATED WITH GENDER EQUALITY, DIGNITY AND RESPECT THAT SHOULD BE AFFORDED TO ALL JUDGES AND LITIGANTS. I HAVE EXPOSED JAMES ON MY WEBSITE AS VIOLATING 42 US 2000 TITLE 7 AND HERE, JUDGE SANNES IS DOING SIMILARLY TO JUDGE STEWART. IS HE NOT COMPETENT ENOUGH TO CONTRIBUTE.....
ANYTHING ?

I AM DEEPLY SADDENED, AND DISAPPOINTED IN THE CONDUCT OF JUDGE SANNES. I REALLY HAD HOPED AND LOOKED FORWARD TO SANNES AND STEWART WORKING TOGETHER HONORABLY. IT IS CLEAR TO ME THAT DID NOT HAPPEN OF NO FAULT TO JUDGE STEWART. JUDGE SANNES IGNORANCE AND CONCEALMENT OF MONETARY CRIMES UPON THE FEDERAL GOVERNMENT BY ACS, KNOWN BY LETITIA JAMES AND ACS FURTHERING THEIR CRIMINAL CONDUCT IN THEIR STATE CASE, UNTO THE FEDERAL CASE, EMPLOYING SUCH CRIMINAL EVIDENCE IN CASE NUMBER 21 CV 1230 , NOT TO MENTION SANNES IGNORING CONDUCT OF WHICH THE ABA FINDS TO BE IMPROPER , IN MY OPINION SHOULD BE REVIEWED. EVEN MORE DISTURBING IS THAT JUDGE SANNES ALLOWED ACS WHOM DOES NOT LEGALLY EXIST WHO STOLE 26 BILLION DOLLARS FROM THE FEDERAL GOVERNMENT TO FILE TO 21CV1230 FOR FREE AND TO EMPLOY 3 ATTORNEYS AND A JUDGE AGAINST A PRO SE WHILE MAKING ME PAY TO FILE, INSULTING MY FILINGS AND COSTING ME OVER A THOUSAND DOLLARS. ABSOLUTELY UNBELIEVEABLE BUT SHOCKINGLY TRUE. SO HERE WE HAVE THEFT ON THE FEDERAL GOVERNMENT BY ACS AND JUDGE SANNES IS RIGHT BEFORE HER VERY EYES, SEEING THEM ASSEMBLE THE DREAM TEAM OF 3 LAWYERS AND AN EX JUDGE WITH FEDERAL GOV FUNDS AND SHE SAYS AND DOES NOTHING. AMAZING. SO WHAT DOES A FEDERAL JUDGE DO WHEN SHE FINDS OUT THE CITY GOVERNMENT STOLE 26 BILLION FROM THE FEDERAL GOVERNMENT ? LET THEM STEAL SOME MORE !!! WHY NOT ! HA HA HA.HA. POLITICS AT ITS FINEST. IM SURE IF DONALD TRUMP STOLE A BUCK FROM THE FEDERAL GOV AT THIS POINT IT WOULD BE ADDED AS ANOTHER CRIMINAL COUNT AGAINST HIM. MEANWHILE JUDGE SANNES LETS THE CRIMINAL FEDERAL GOVERNMENT BANKROLL CONTINUE TO FLOW INTO ACS HANDS.

IF ANYTHING, I SHOLD BE COMMENDED BY THE JUDGE FOR BRINGING SUCH MATTERS TO HER ATTENTION. INSTEAD, SHE HUMILIATED ME ON THIS CASE WHILE STEWART HAD TO SIT THERE LIKE A CHILD IN CLASS WITH HIS HANDS FOLDED AND WATCH THIS DEBACLE UNFOLD, UNCHECKED.

IN MY LAST TWO FILINGS, I PROVIDED THE DOCUMENTARY EVIDENCE THAT ACS DOES NOT LEGALLY EXIST, NYC CHILDREN DOES NOT, NOR DOES ACS POLICE. NOT JUST CITY EVIDENCE BUT STATE AS WELL. JUDGE SANNES DOES NOT REQUIRE ACS TO EVEN RESPOND TO THIS !!!!!!!!!!!!!!! WE HAVE AN AGENCY OF THE CITY OF NEW YORK THAT HAS TAKEN PART IN THE LARGEST FRAUD UPON THE FEDERAL GOVERNMENT IN AMERICAN HISTORY AND THE LARGEST CHILD TRAFFICING KIDNAPPING RING IN AMERICAN HISTORY AND SANNES IS NOT ADDRESSING, OR REQUIRING AN ANSWER AND ON TOP OF IT ALL, CONCEALING ACS AND LETITIA JAMES WHO BOTH KNEW WHAT THEY WERE TAKING PART IN AS A CAPTION TO CONCEAL FROM OUR AMERICAN PEOPLE.

I HAVE EXPOSED WHAT HAD OCCURRED REGARDING TITLE 7 VIOLATION THAT LETITIA JAMES INFLICTED UPON THE STATE ATTORNEY GENERALS OFFICE AS WELL OF WHICH ONE OF THEIR 20 YEAR ASSISTANT AG'S STATED WAS A CONFLICT OF INTEREST. JANET SABEL WHOM WAS HEAD OF IMMIGRATION FOR LEGAL AID WENT TO WORK FOR THE NYS AG OFFICE. WITHIN 4-5 YEARS SHE WAS PLACED AS SECOND IN COMMAND, WENT BACK TO LEGAL AID, WAS IMMEDIATELY MADE CEO AND RETAINED BOTH POSITIONS. THE GOVERNMENT AND LEGAL AID SIMULTANEOUSLY FOR 3 YEARS !!!! NOW, THE ASSERTION THAT LEGAL AID IS NOT A GOVERNMENT ACTOR IS NULLIFIED SINCE LEGAL AID NOW WORKS FOR THE GOVERNMENT.... GO TO LETITIA JAMES PAGE ON ACS COMPLAINTS.COM TO LISTEN TO THE VERY WORDS OF THE 20 YEAR ASSISTANT AG.... SO I THEN GO AHEAD AND INFORM THE JUDGE REGARDING THIS SINCE MUSCARELLA AND WEINSTOCK TRIED TO CLAIM TRAVIS JOHNSON LEGAL AID IS NOT A STATE ACTOR AND WHAT DOES THE JUDGE CALL ME ? A PIECEMEAL FILER. IM THE PRIVATE INVESTIGATOR WHOM EXPOSES GOVERNMENT CRIMES AND FRAUD AND INSTEAD OF A FEDERAL JUDGE COMMENDING ME, I GET HUMILIATED ON THIS CASE ?!?!?!? I REPORT AND I AM TO BE PUNISHED FOR DOING SO ? ISNT THAT EXACTLY WHAT ACS DID TO ME WHEN I REPORTED MY DAUGHTERS ABUSE AS CAN BE SEEN ON ACS COMPLAINTS.COM CRIMES AGAISNT MY DAUGHTER ? YES. SO AS WE CAN SEE, JUDGE BRENDA K SANNES AND ACS ARE ONE IN THE SAME, PUNISHING FOR REPORTING FRAUD AND CRIMES TO THE GOVERNMENT.

ON TOP OF ALL THIS, JUDGE SANNES HAS PREVENTED ME FROM SERVING MARGARET INGOGLIA WHOM IS A DEFENDANT ON THIS CASE. SHE IS ADDRESS CONFIDENTIAL UNDER THE JURISDICTION OF ACS AND THE NEW YORK STATE UNIFIED COURT SYSTEM. THE DFENDANTS PLAY DUMB, WILL NOT REPRESENT HER, I SERVE THEM, SHE DOESNT GET SERVED AND THE MERRY GROUND, PLAYED BY THE DEFENDANTS, EXECUTED BY THE JUDGE CONTINUES... THE WOMAN WHOM IS REPOSNSIBLE FOR MY DAUGHTERS HORRENDOUS ABUSE AS SHOWN ON ACS COMPLAINTS.COM, CRIMES AGAINST MY

DAUGHTER, A PERSON WHOM IS WORKING WITH THE STATE ACTORS AND IS GUILTY OF 18 US 3283 (ACCORDING TO MY LEGAL ANALYSIS) AND A TWO TIME ARTICLE 10 CHILD ABUSER ACCORDING TO ACS RECORDS IN 2006 AND 2008, WITH TWO MORE INDICATED FOR NEGLECT UPON MY DAUGHTER BY ACS UPON THEIR OWN RECORDS IN 2019, IS BEING SHIELDED BY A FEDERAL JUDGE BY THE NAME OF BRENDA K. SANNES. IMAGINE THAT. A FEDERAL JUDGE PROTECTING A KNOWN CHILD ABUSER.

I, ROBERT MALEK, AM NOT JUST A LITIGANT TRYING TO BE A LAWYER AND A FATHER WHOM LOVES HIS DAUGHTER AND IS DOING EVERYTHING HE CAN TO PROTECT HER.. I AM A PRIVATE INVESTIGATOR WHOM IS NOW DOING CIVIL AND CRIMINAL INVESTIGATIONS ON THE GOVERNMENT AND DOING A DAMN GOOD JOB DOING SO. I WILL NOT ACCEPT JUDGE SANNES CRITICIZING MY INVESTIGATIONS AS BEING PIECEMEAL FILINGS AS I UNCOVER CRIMINAL CONDUCT AND FRAUD BY THE DEFENDANTS. I AM NOT GOING TO BE INSULTED BY A JUDGE WHILE I LITIGATE TO NOT JUST RETURN 26 BILLION DOLLARS TO THE FEDERAL GOVERNMENT THAT HAS BEEN STOLEN FROM THEM WHILE I AM THE PRIVATE INVESTIGATOR THAT UNCOVERED THEIR CRIME AS WELL.

I AM NOT GOING TO BE INSULTED BY A JUDGE WHEN MEANWHILE, I HAVE EXPOSED JAMES MISCONDUCT AT THE NYS ATTORNEY GENERALS OFFICE TO THE DISMAY OF THE 20 YEAR ASSISTANT NY AG THAT CAN BE HEARD ON THE LETITIA JAMES PAGE OF ACS COMPLAINTS.COM

WHAT I AS A PRIVATE INVESTIGATOR HAVE UNCOVERED ON THESE CASES IS MANY CRIMES AND MISCONDUCT COMMITTED BY ACS , LETITIA JAMES AND LITIGATING FOR THE BENEFIT OF MYSELF, MY DAUGHTER, OTHER PARENTS AND CHILDREN, NYS ATTORNEY GENERALS AND OUR COUNTRY. AND FOR ALL THIS, THE JUDGE SAYS NOT ONE DEROGATORY WORD TO THE DEFENDANTS BUT HUMILIATES ME AND MY WORK BY REFERRING TO MY WORK AS " PIECEMEAL FILINGS. "

I DONT DESERVE THIS, JUDGE STEWART DOESNT DESERVE THIS AND OUR JUSTICE SYSTEM DOESNT DESERVE THIS. I AM AN EXEMPLARY 53 YEAR OLD AMERICAN FIGHTING FOR TRUTH, JUSTICE AND THE AMERICAN WAY BY MYSELF AND BEING GANGED UP UPON THE VERY GOVERNMENT PEOPLE WHO SHOULD BE EMBRACING AND PROTECTING MY DAUGHTER AND I. THIS SITUATION IS UTTERLY HORRIFICALLY DYSFUNCTIONAL.

IM NOT GOING TO BE HUMILIATED BY A JUDGE WHILE THE FEDERAL GOVERNMENT HANDS OVER TO THE DEFENANTS A BILLION DOLLARS PLUS A YEAR WHOM EMPLOYS SEVERAL ATTORNEYS AGAINST A PRO SE. IF THE JUDGE HAD A SHRED OF A CONCEPT

OF ENSURING JUSTICE IN HER COURTROOM, SHE WOULD ORDER NO MORE THAN ONE ATTORNEY FROM EITHER DEFENDANT. YOU DONT TAKE GOVERNMENT FUNDS TO EMPLOY THE O.J. DREAM TEAM AGAINST A PRO SE IN A CIVIL RIGHTS CASE AND THEN INSULT THE LEGAL PERFORMANCE OF THE PRO SE. THIS IS DISGUSTING AND TOTALLY ABSURD WITH 28 USC 144 VIOLATED IN WHOLE BY JUDGE BRENDA K. SANNES. THE LAST TIME I SAW SUCH A GANG UP WAS ON WORLD WRESTLING ENTERTAINMENT AND WORLD WRESTLING FEDERATION AND EVEN THERE, THE REFEREE IS " TRYING " TO STOP IT. WHAT IS OCCURRING IN JUDGE SANNES COURTROOM IS SO SHOCKING IT ISNT EVEN PART OF A SCRIPT IN FICTION IN WORLD WRESTLING ENTERTAINMENT. AS THEY SAY, TRUTH IS STRANGER THAN FICTION AND THAT IS WHAT IT IS LIKE LITIGATING IN JUDGE SANNES COURTROOM.

JUST WHEN YOU THINK THERE COULDNT BE MORE, THERE IS....

JUDGE SANNES ACTUALLY WROTE AN ORDER THAT I CANT FILE A MOTION TO STRIKE THE DEFENDANTS FILINGS. HOWEVER, THAT SURE DIDNT STOP THE DEFENDANTS FROM REQUESTING SUCH OF MINE AND BEING SUCCESSFUL IN DOING SO !

IM SURE AS YOU REMEMBER THE HISTORIC TIME WHEN BRUCE CUTLER WAS DISQUALIFIED AS COUNSEL FOR THE GAMBINO CRIME FAMILY WITH GOTTI BECAUSE HE WAS CONSIDERED AS HOUSE COUNSEL AND DEEMED TO BE ESSENTIALLY PART OF THE FAMILY ITSELF. WELL, HERE IN THIS CASE, AS SOON AS KURLYUK STARTED DEFENDING HER PARTIES, THE NEW YORK STATE UNIFIED COURT SYSTEM 100% SHUT DOWN RECORDS ON ME ON MY STATE CASE. THIS IS WHAT SPAWNED CASE NUMBER 22 CV 167. ALL THE EVIDENCE IS THERE. JUDGE SANNES HAD NOT A WORD TO SAY AND WAS TOTALLY " OUT TO LUNCH. " I AM 53 YEARS OLD AND I HAVE NEVER IN MY LIFE EXPERIENCED A JUDGE THAT HAS BEEN MORE VACANT ON A CASE THAN JUDGE SANNES. JUDGE JUDY SPEAKS MORE IN 2 MINUTES THAN JUDGE SANNES SPEAKS IN 20 WEEKS. THE BIAS THAT SHE SHOWS AGAINST A PRO SE LITIGANT AGAINST GOVERNMENT DEFENDANTS IS SIMPLY UNPARALLELED. IT REMINDS ME OF A MOTEL 6 IN RURAL AMERICA AT 3 AM WHERE YOU ENTER AND HAVE TO HIT ONE OF THOSE CHROME HAND OPERATED BELLS TO AWAKEN THE FRONT DESK OPERATOR AND RECEIVE PIECEMEAL SERVICE.....

CONCLUSION

PLEASE ONCE AGAIN REFER THIS CASE, 22 CV 167 AND 22 CV 855 TO DANIEL STEWART AND GIVE JUSTICE AND LAW A CHANCE. I HAVE MANY MORE CASES TO

**FILE AND NEED A JUDGE WHOM IS NEITHER BIASED NOR PREJUDICED AGAINST THE
PLANTIFF, EITHER WITH ACTIVE OR PASSIVE AGGRESSION ISSUES.**

Sincerely,



Robert Malek, Robert Malek, c/o M.M.

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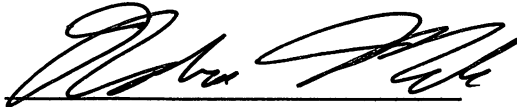
929 441 8429

8-20-2022

SWORN TO BEFORE ME ON THE 22 DAY OF AUGUST, 2022



NOTARY PUBLIC



ROBERT MALEK

RUSSELL D. COHEN
Notary Public, State of New York
Qualified in Nassau County
No. 01CO6249590
Commission Expires October 11, 2023

**NOTE : WHEREVER I HAD WRITTEN ONLY 28 USC 144 SUCH INCLUDES
28 USC 455 AS WELL.**

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A. (PART 1)ABA ETHICS ARTICLE REGARDING JUDGES CONTINUING IN LEGAL PRACTICE TO USE HONORABLE WHILE THEY ARE NO LONGER A JUDGE.

(PART 2) NEW YORK STATE UNIFIED COURT SYSTEM COMMENTARY ON THE MATTER.

EXHIBIT A

November 06, 2020

FEATURE

Ethics for Former Judges

By Marla N. Greenstein

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As the articles in this issue attest, moving beyond your self-identity as a judge is a challenge and an opportunity. However, no matter how successful a former judge will be at leaving the “judge” in the past, to others, a judge is always a judge.

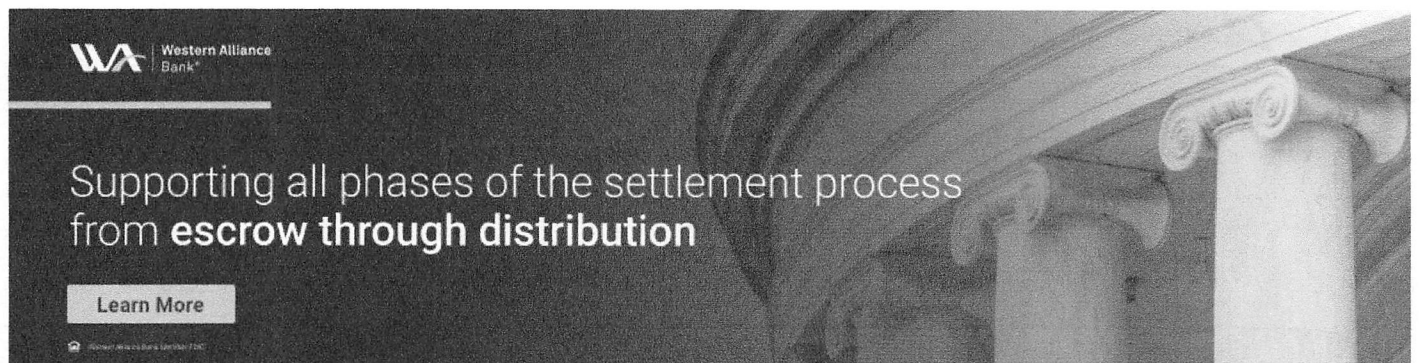
Whether walking into a local restaurant or attending a community event, former judges will continue to be addressed as “judge.” Judges will be hired for jobs not only for their judicial experience, but also for the positive “label” that having a former judge on payroll will bring. There are ethics implications for this continuing identification.

The most direct and tangible ethical issue is continued use of the judicial title for business or financial endeavors or in the practice of law. Many states give guidance through ethics opinions on this issue. In Arizona, a retired judge may not advertise for mediation or arbitration services using the “judge” title, even if modified with “former” or “retired.” AZ Adv. Op. 2016-2. Variations of this restriction exist in several states. Some allow the use of “former” or “retired” if not in conjunction with a financial or business purpose; others allow the modifier without restriction. It is understood that use of “judge” without the modifier of “former” or “retired” is an abuse of the prestige of judicial office and creates public confusion as to the role of the arbitrator/mediator. WA Adv. Op. 2002-17.

Continued use of the judicial title while practicing law is the issue addressed in advisory opinions most frequently. All agree that a former judge who is now a practicing lawyer should not use the judicial title in any manner professionally and should actively discourage others from doing so. The American Bar Association noted in its 1995 Formal Advisory Opinion that the only reason a former judge would use the judicial title in the practice of law would be to create an appearance of an unfair advantage or expectations of an enhanced outcome. ABA Formal Adv. Op. 95-391. Federal judges are also warned that former judges appearing before them are not to be called “judge” in their courtroom or in pleadings. U.S. Adv. Op. 72 (2009).

Some judges retire fully to free themselves to engage in the political arena. In fact, former judges are likely the most effective speakers and activists on issues of justice, fairness, and protecting judicial independence from outside influence. Here too, however, former judges have an obligation to clarify their new role and not sow confusion. Former judges have effectively lobbied for sentencing reform, noting the unfairness of mandatory minimum sentences, for example. Their efforts have been successful in no small part due to their “former judge” status. However, extra care is required when former judges seek political office or are visible in causes unrelated to the justice system. For example, when a former judge in California ran for state attorney general while a sitting judge, he was disciplined, in part, for his campaign’s use of his judicial office in that campaign. Inquiry Concerning Former Judge Steven C. Bailey, 6 Cal. 5th CJP Supp. 24 (2019). The same ethical concerns extend to former judges who use their judicial office in political campaigns (though likely not subject any longer to judicial discipline). Confusion of roles can harm the judiciary. As the California opinion noted, using the judicial title and office in a political campaign for an elected office in another branch of government “is fundamentally inconsistent with the independence, impartiality and integrity of the judiciary, and is prejudicial to public esteem for the judicial office.”

“Former judge” will stay with you in most public life arenas. While the Code of Judicial Conduct may not govern your speech and actions as a former judge, it should still guide them. The public will forever view you as a living representative of the judicial system.



ENTITY:

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TOPIC:

ETHICS, COURTS & JUDICIARY

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Authors



ABA American Bar Association | /content/aba-cms-dotorg/en/groups/judicial/publications/judges_journal/2020/fall/ethics-former-judges

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Rules of the Chief Judge

PART 16. Court Appearances By Former Appellate Court Judges And Justices

Section 16.1 Appearances by former Appellate Court judges and justices before the courts in which they were members.

No former judge of the New York State Court of Appeals or former justice of the Appellate Divisions or Appellate Terms of the Supreme Court of the State of New York shall appear in person in the Appellate Court on which he or she served, or use or permit the use of his or her name on a brief filed in such court, within two years after having left such court. Nothing in this Part shall prohibit a law firm with which said judge is associated from appearing before a court and using the name of the firm on its papers consistent with that appearance.

Historical Note

Sec. filed Feb. 22, 1988 eff. Feb. 3, 1988.



**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

ROBERT MALEK, ROBERT MALEK C/O M.M.

VS.

CASE NUMBER : 22 CV 167

VERIFICATION

NEW YORK STATE UNIFIED COURT SYSTEM, ET. AL..

I, ROBERT MALEK, DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS
FACTUALLY TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

ANY OPINIONS STATED ARE HONESTLY MY OPINIONS.

ANY STATEMENTS MADE I HONESTLY BELIEVE TO BE CORRECT.

THIS MOTION TO RECUSE IN MY OPINION NOT FRIVOLOUS AND DEFINITELY NOT
INTENDED TO CLOG OR DELAY PROCEEDINGS BUT RATHER FILED IN THE INTEREST OF
JUSTICE.

EXECUTED ON : 08-20-2022

NAME OF DECLARANT :

/S/ Robert Malek, Robert Malek, C/O, M.M.

ROBERT MALEK, ROBERT MALEK C/O M.M.

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